

REMARKS

The Application has been carefully reviewed in light of the Office Action dated October 3, 2002 (Paper No. 9). Claims 1 to 68 are in the application, of which Claims 1, 18, 23, 37, 54 and 68, the independent claims, are being amended. Reconsideration and further examination are respectfully requested.

With regard to a formal matter, a Form PTO-948 accompanied the Office Action, which contained objections to the drawings filed on May 1, 1998. Applicant filed substitute formal drawings with the July 20, 1998 Letter Transmitting Formal Drawings. Copies of the July 20, 1998 Letter and the substitute formal drawings filed therewith are being submitted with this response to the Office Action, together with a copy of the stamped postcard indicating receipt of the substitute formal drawings by the Patent Office on July 21, 1998. It is believed that the substitute formal drawings address the objections raised by the draftsperson. Accordingly, reconsideration and withdrawal of the objections are respectfully requested.

By the Office Action, Claims 23, 54 and 68 have been rejected under 35 U.S.C. § 102(a) over an article by Giza entitled “Using A Digital Camera As A Presentation Tool: Screen-Capturing Slides” (Giza), Claims 1 to 7, 17 to 27, 37 to 43, 53 to 58 have been rejected under 35 U.S.C. § 103(a) over Charles Petzold’s book entitled “Programming Windows 95--The Definitive Developer’s Guide to the Windows 95 API” (Petzgold), and Claims 8 to 11, 28 to 31, 44 to 47 and 59 to 62 have been rejected under 35 U.S.C. § 103(a) over Giza, Petzold and U.S. Patent 5,164,831 (Kuchta).

The present invention generally relates to automatically forming and outputting camera-formatted data from an application in the same way that the application accesses a printer. Camera-formatted data typically comprises a full-resolution image, a thumbnail image and non-image data.

In order for a user to transfer application data from an application data to a camera using a conventional approach, the user would have to translate each type of data generated by the application programs to the format used by the digital camera. If performed manually, such translation would be a monumental task, particularly in view of the different images (e.g., raster image and thumbnail image), special data formats, special naming conventions used for each picture, and other special features required by a typical digital camera. Alternatively, a separate translation program might be used to convert each type of data generated by the application programs to the digital camera format. However, using separate translation programs for each type of data would also be cumbersome and time consuming.

### Claims 1 and 37

Turning to the specific language of the claims, Claim 1 defines a method for outputting camera-formatted data to a digital camera interface, the camera-formatted data corresponding to application-formatted data from an application program. According to the method, a print operation is started for the application program, and a camera driver corresponding to the digital camera is selected as an output device driver for the print operation. Application-formatted data is printed from the application program to the selected camera driver. Camera-formatted data is formed based on the application-

formatted data and according to a digital camera format, and the camera-formatted data is output from the camera driver to a digital camera interface. The camera-formatted data is automatically formed and output to the digital camera interface in response to initiation of the print operation from the application program.

The applied art, namely Giza and Petzold, is not seen to teach or to suggest the above-described features of the invention. In particular, Giza and Petzold, either alone or in combination, is not seen to teach or to suggest automatically formed and output camera-formatted data to a digital camera interface in response to initiation of a print operation from an application program.

Giza is seen to describe a conventional approach in which a user manually performs each of the steps necessary to output camera formatted data to a digital camera interface. More particularly, Giza is seen to describe a process performed by the user in which the user manipulates several applications to perform the steps of: (1) capturing in a clipboard buffer a screen print from a first application using a print screen key sequence, (2) switching to a second application, (3) creating a blank page in the second application, (3) pasting the clipboard buffer into the blank page created using the second application, (4) performing an export operation in the second application to save the pasted image as a file on the user computer's hard drive by selecting the JPEG format and specifying a file name for the file and a directory at which a third application can retrieve the saved file for upload to the camera, and (5) switching to a third application, QV.Link, and initiating the "send files" operation with the third application to upload the saved file to the camera.

Clearly, the process described in Giza requires a significant amount of manual interaction by the user with several applications in order to form and output

camera-formatted data. More particularly, Giza's approach is seen to describe switching among at least three separate applications, and performing multiple user-initiated steps to achieve the result of reformatting the data for storage on the camera and uploading the reformatted data to the camera.

Giza is not seen to teach or to suggest automatically forming camera-formatted data and outputting the camera-formatted data to a digital camera interface in response to initiation of a print operation from an application program.

Petzold is not seen to remedy the deficiencies of Giza. Petzold is seen to describe data from an application program being directed to a printer driver, the application data being formatted for printing by a corresponding printer. Petzold is therefore seen to describe that initiation of a print operation results in data being formatted for a printer and output to a printer for printing by the printer.

Nothing in Petzold is seen to teach or to suggest camera-formatted data being automatically form and output to a digital camera interface in response to initiation of a print operation from an application program.

Accordingly, Giza and Petzold, either alone or in any permissible combination, is not seen to teach or to suggest every feature of Claim 1. Claim 1 is therefore believed to be patentable over the applied art. In addition, Claim 37 is also believed to be patentable over the applied art for at least the same reasons.

Claims 2 to 17 and 38 to 51 are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the

invention, however, the individual consideration of each on its own merits is respectfully requested.

Claim 18

Claim 18 concerns a method for an application program to output application-formatted data to a camera driver, the camera driver corresponding to a digital camera. According to the method, a print operation is started, and the camera driver is selected corresponding to the digital camera as an output device driver for the print operation. Application-formatted is printed to the camera driver. Camera-formatted data corresponding to the digital camera is automatically generated in response to initiation of the print operation.

As discussed above, Giza is clearly not seen to describe an automated approach to forming camera-formatted data. In addition, Giza is not seen to describe forming camera-formatted data in response to initiation of a print operation.

Petzold is also not seen to describe an automated approach to forming camera-formatted data. Instead, Petzold is seen to describe directing data output from an application program to a printer driver, at which point the application data is formatted for printing by a corresponding printer. Nothing in Petzold is seen to teach or to suggest forming camera-formatted data from application data. And nothing in Petzold is seen to teach or to suggest forming the camera-formatted data in response to initiation of a print operation.

Accordingly, Giza and Petzold, either alone or in any permissible combination, is not seen to teach or to suggest every feature of Claim 18. Claim 18 is therefore believed to be patentable over the applied art.

Claims 19 to 22 are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

Claim 23, 54 and 68

Claim 23 defines a method for use in a camera driver, the method for outputting camera-formatted data to a digital camera interface, the camera-formatted data corresponding to application-formatted data from an application program. The method comprising receiving application-formatted data from the application program, forming the camera-formatted data based on the application-formatted data and according to a digital camera format, and outputting the camera-formatted data to a digital camera interface. According to the method, the camera-formatted data is automatically formed and output to the digital camera interface in response to receipt of the application-formatted data from the application program.

As discussed above, Giza is not seen to describe an automated approach to forming camera-formatted data such that the camera-formatted data is automatically outputting the camera-formatted data to a digital camera interface in response to receipt of the application-formatted data from an application program.

Petzold is also not seen to describe an automated approach to forming and outputting camera-formatted data. Instead, Petzold is seen to describe directing application data to a printer driver, at which point the application data is formatted and output to a printer for printing. Nothing in Petzold is seen to teach or to suggest automatically forming and outputting camera-formatted data in response to receipt of the application-formatted data from an application program.

Accordingly, Giza and Petzold, either alone or in any permissible combination, is not seen to teach or to suggest every feature of Claim 23, and Claim 23 is therefore believed to be patentable over the applied art. In addition, Claims 54 and 68 are also believed to be patentable over the applied art for at least the same reasons.

Claims 24 to 36 and 55 to 67 are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

CONCLUSION

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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Assistant Commissioner for Patents  
Washington, D.C. 20231

Date 7/21/98  
Mo. Day Yr.

Atty. Docket 36J.P15A  
Application No. 08/101,298



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Kindly acknowledge receipt of the accompanying:

Response to Official Action \_\_\_\_\_  
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 Petition under 37 CFR 1.136 and Check for \$ \_\_\_\_\_  
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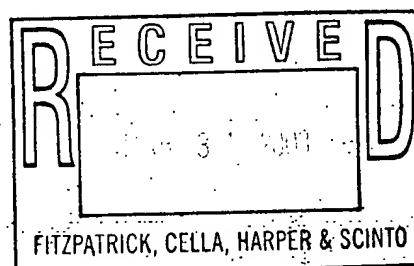
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## Amendments in a Revised Format Now Permitted



**Office of Patent Legal Administration << Pre-OG Notices << << Amendments in a Revised Format Now Permitted**

The United States Patent and Trademark Office (USPTO or Office) is permitting applicants to submit amendments in a revised format as set forth herein. The revised amendment format is essentially the same as the amendment format that the Office is considering adopting via a revision to 37 CFR 1.121 (Manner of Making Amendments). The revision to 37 CFR 1.121 (if adopted) will simplify amendment submission and improve file management. The Office plans to adopt such a revision to 37 CFR 1.121 by July of 2003, at which point compliance with revised 37 CFR 1.121 will be mandatory.

The revised amendment format is an expansion of the special amendment process instituted for a prototype Electronic File Wrapper program described in USPTO ANNOUNCES PROTOTYPE OF IMAGE PROCESSING, 1265 Off. Gaz. Pat. Office 87 (Dec. 17, 2002) ("Prototype Announcement"). The special amendment process (which was limited to claims) has proven overwhelmingly acceptable to applicants participating in the prototype and beneficial to examiners. The revised amendment format provides for amendments to be made to the specification and the drawings in addition to the claims.

Effective immediately, **all** applicants, including applicants participating in the prototype, may submit amendments using the revised amendment format set forth herein. Applicants may wish to submit all amendments in the revised amendment format because: (1) it will facilitate transition to a revised amendment format when it becomes mandatory, (2) inconsistent versions of claim amendments (clean and marked-up) will be avoided, and (3) time and resources will be saved.

**WAIVER of 37 CFR 1.121**

The provisions of 37 CFR 1.121(a), (b), (c) and (d) are waived for amendments to the **claims, specification, and drawings** in all applications in all Technology Centers where the amendments comply with the revised amendment format detailed below. Note: The revised amendment format (and the waiver) does **not** apply to 37 CFR 1.121(h) and (i) which indicate that amendments to reissue applications and reexamination proceedings are governed by 37 CFR 1.173 for reissue applications and 37 CFR 1.530 (d)-(k) for *ex parte* and *inter partes* reexaminations.

In addition, the WAIVER indicated in the above mentioned Prototype Announcement for the limited (claims only) amendment process of that prototype is also expressly continued and amendments in applications (other than reissue applications) in all Technology Centers that comply with the requirements in that announcement will be acceptable.

**REVISED AMENDMENT FORMAT****I. Begin Sections on Separate Sheets:**

Each section of an amendment paper (e.g., Amendments to the Specification, Amendments to the Claims, Remarks) shall begin on a separate sheet to facilitate separate indexing and electronic scanning of the document.

For example, each of the following four sections of an amendment paper must start on a separate sheet:

- a.) Introductory Comments
- b.) Amendments to the Specification

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- c.) Amendments to the Claims
- d.) Remarks

## **II. Submit Only One Version (with markings) of an Amended Part:**

The requirement to provide two versions of a replacement paragraph, section, or claim (a clean version and a marked up version), as set forth in current 37 CFR 1.121, is waived where the format set forth below is followed.

## **III. Amendments to the Claims**

### **A. A Complete Listing of Claims is Always Required:**

If an amendment adds, changes or deletes any claim, a detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remains under examination in the application, must be presented, and the amendment to the claims is expressed in the listing. The listing shall be presented as follows:

#### **1. Ascending Order and Status Identifier Required**

The listing shall be provided in sequential ascending numerical order (beginning with claim 1). A status identifier shall be provided for every claim in a parenthetical expression following the claim number (e.g., "Claim 1. (original)"). A list of acceptable status identifiers is set forth in part B, below. The text of **all** claims under examination shall be submitted each time any claim is amended. Cancelled and withdrawn claims should be indicated by only the claim number and status. The text of cancelled or withdrawn claims should not be presented.

#### **2. Markings in Currently Amended Claims Required**

All claims *being currently amended* shall be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The changes in any amended claim should be shown by strikethrough (for deleted matter) or underlining (for added matter). No separate "clean" version should be submitted for currently amended claims, as this requirement has been eliminated. **Markings should only be made in claims being currently amended in an amendment paper.**

#### **3. Only Clean Text Required for Other Claims Under Examination.**

The text of pending claims *not being currently amended* that are under examination shall be presented in a clean version in the listing. Any claim presented in clean version constitutes an assertion that it has not been changed relative to the immediate prior version.

#### **4. Status to Effect Claim Cancellation or Addition.**

A claim may be cancelled by merely indicating the status of the claim as cancelled. Any new claim added by amendment must be indicated by the appropriate status identifier and shall not be underlined. Thus, added new claims of status (new), (reinstated - formerly claim #\_) and (re-presented - formerly dependent claim #\_) must be presented in clean version. Additional claims may be subject to additional fees, as appropriate.

#### **5. When Grouping of Claims is Permitted.**

Consecutive cancelled or withdrawn claims may be aggregated into one line of the listing (e.g. Claims 1 - 5 (cancelled)).

#### **6. Use "Currently Amended" Status Where Applicable.**

If any "previously reinstated" or "previously re-presented" claim is being amended, the status shall be indicated as "currently amended" with markings as indicated in paragraph A2, above. Multiple status identifiers should not be used for any single claim.

**B. Status Identifiers that May be Used:**

In order to promote uniformity and consistency, only the following eleven (11) defined status identifiers should be used to indicate the status of the claims (in parentheses after the claim number):

1. (Original): Claim filed with the application following the specification (i.e., not added by preliminary amendment).
2. (Currently amended): Claim being amended in the current amendment paper.
3. (Previously amended): Claim not being currently amended, but which was amended in a previous amendment paper.
4. (Cancelled): Claim cancelled or deleted from the application.
5. (Withdrawn): Claim still in the application, but in a non-elected status.
6. (Previously added): Claim added in an earlier amendment paper.
7. (New): Claim being added in the current amendment paper.
8. (Reinstated - formerly claim # \_): Claim deleted in an earlier amendment paper, but re-presented with a new claim number in current amendment.
9. (Previously reinstated): Claim deleted in an earlier amendment and reinstated in an earlier amendment paper.
10. (Re-presented - formerly dependent claim # \_): Dependent claim re-presented in independent form in current amendment paper.
11. (Previously re-presented): Dependent claim re-presented in independent form in an earlier amendment, but not currently amended.

**C. Example of Listing of Claims:**

Claims 1-5 (cancelled)  
Claim 6 (withdrawn)  
Claim 7 (previously amended): A bucket with a handle.  
Claim 8 (currently amended): A bucket with a ~~green~~ blue handle.  
Claim 9 (withdrawn)  
Claim 10 (original): A bucket with a wooden handle.  
Claim 11 (cancelled)  
Claim 12 (new): A bucket with plastic sides and bottom.  
Claim 13 (previously added): A bucket having a circumferential upper lip.

Claim 14 (re-presented - formerly claim 11): A black bucket with a wooden handle.

#### IV. Amendments to the Specification

Amendments to the specification are to be made by presenting replacement paragraphs, sections or a substitute specification marked up to show changes made relative to the immediate prior version, as set out in 37 CFR 1.121(b). The changes should be shown by strikethrough (for deleted matter) or underlining (for added matter). No accompanying "clean" version shall be supplied. The amendments to the specification shall be presented only one time, and will not appear in successive amendment documents.

#### V. Amendments to the Drawings

Amendments to the drawing figures shall be made by presenting replacement figures which include the desired changes, without markings, and which comply with § 1.84. The changes shall be explained in the accompanying remarks section of the amendment paper. If the amended drawings are not approved, the applicant will be notified in the next Office action. Any amended drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even though only one figure may be amended. The figure number in the amended drawing should not be labeled as "amended."

For further information on the prototype image electronic processing of patent applications, please contact the Search and Information Resources Administration at: [image.processing@uspto.gov](mailto:image.processing@uspto.gov). Any questions regarding the submission of amendments pursuant to the revised practice set forth in this notice should be directed to Elizabeth Dougherty ([Elizabeth.Dougherty@uspto.gov](mailto:Elizabeth.Dougherty@uspto.gov)), Gena Jones ([Eugenia.Jones@uspto.gov](mailto:Eugenia.Jones@uspto.gov)) or Joe Narcavage (<mailto:Joseph.Narcavage@uspto.gov>). For information on the waiver or legal aspects of the program, please contact Jay Lucas ([Jay.Lucas@uspto.gov](mailto:Jay.Lucas@uspto.gov)) or Rob Clarke ([Robert.Clarke@uspto.gov](mailto:Robert.Clarke@uspto.gov)).

Date: 1/31/03

Signed: /s/

STEPHEN KUNIN  
Deputy Commissioner for Patent  
Examination Policy

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